



UNITED STATES MARINE CORPS

STAFF JUDGE ADVOCATE
MARINE CORPS BASE HAWAII
BOX 63002
KANE OHE BAY HAWAII 96863-3002

IN REPLY REFER TO:

5720

MCBH 17-013

15 Dec 16

People for the Ethical Treatment of Animals
Attn: Mr. Shalin Gala
1536 16th St. N.W.
Washington, DC 20036

SUBJECT: RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST AND
FOIAONLINE CASE #2017-001847

Dear Mr. Gala:

This responds to your FOIA request, provided as the enclosure, which was taken for action on 18 November 2016 and assigned file number MCBH 17-013 and FOIAonline #2017-001847.

Be advised that the policies and procedures set out in 32 C.F.R Part 701, Subpart A - Department of the Navy Freedom of Information Act (FOIA) Program, established the rulemaking governing the processing of your request by this office. Note that, pursuant to that rulemaking, I have categorized you as an Other Requester for the purpose of assessing FOIA processing fees. As such, you will not be charged for the review of your documents, the first two hours of searching for your documents is free and the first 100 reproduced pages are free. After the first 100 pages, you would be charged charged duplication fees at \$.15 per page. In this instance, the search and duplication costs did not exceed our minimum charge rate of \$15.00, therefore there are no fees associated with this request.

I contacted knowledgeable officials at our Contracting Office, Base Legal Office, Command Deck, Headquarters Battalion and Marine Corps Air Station unit to ascertain the location and availability of the requested documents. Personnel from each unit/department performed physical and/or electronic searches for the requested documents and found no files/documents responsive to your request. **In the future, please submit FOIA requests for Marine Corps maintained documents via the following website:** <https://foiaonline.regulations.gov/>. This constitutes my substantive response to your request.

Because your request is denied, you may consider this an adverse determination that may be appealed for timeliness and/or adequacy of our search to the Judge Advocate General (Code 14), 1322 Patterson Avenue SE, Suite 3000, Washington Navy Yard, DC 20374-5066. Your appeal, if any, must be postmarked within 90 calendar days from the date of this letter to be considered and should include a copy of this letter. Additionally, your letter of appeal should contain a written

statement indicating why you believe that your appeal should be granted. I recommend that your appeal letter and its envelope both bear the notation "Freedom of Information Act Appeal."

You also have the right to seek assistance and/or dispute resolution services from the Marine Corps FOIA Public Liaison, Ms. Sally Hughes, at hqmcfoia@usmc.mil or (703) 614-4008, and/or the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.a.julka@navy.mil or (703) 697-0031. You may also contact the Office of Government Information Services (OGIS) for assistance and/or dispute resolution at ogis@nara.gov or 1-877-684-6448. For more information online about services provided by OGIS, please visit their website at <https://ogis.archives.gov>.

I am the official responsible for the release of your information. If you have any other questions please feel free to call this office at (808) 257-5742.

Sincerely,

M. J. PENN
Captain, U. S. Marine Corps
Judge Advocate

Enclosure: 1. Requestor letter 8 Nov 16